

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)

Plaintiff,)

v.)

RAYMOND MARION,)

Defendant.)

4:04CR3016

**MEMORANDUM
AND ORDER**

Since the defendant was sentenced as a career offender, and his sentencing range was therefore determined by the Guidelines' career offender provision, he is not categorically eligible for a reduction in his sentence under an amendment to the sentencing guidelines that reduced base offense levels for drug offenses founded on the quantity of crack involved in the offense. *See, e.g., [United States v. Thomas, 524 F.3d 889, 890 \(8th Cir. 2008\)](#).*

IT IS ORDERED that the defendant's motion to reduce sentence pursuant to crack cocaine Amendment 706 ([filing 43](#)) is denied.

August 19, 2008.

BY THE COURT:

s/Richard G. Kopf
United States District Judge